IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY PETITION NO.166 OF 2004

. In the matter of Meguin Oil India Ltd
.... Company

M/s. Baijnath Plastic Products P.ltd
..... Petitioners

None present for the petitioner.
Miss. J.N. Gandhi i/b. Mahesh Jani and co. for the company.

CORAM: S.U. KAMDAR, J.

DATE : 24TH FEBRUARY, 2005.

P.C. :

1. The present petition is filed against the company known as M/s. Baijanth Plastic Products Private Limited. In fact the said company has been merged with Nandan Petrochem Limited by an order dated 15.11.2000 in Company Petition no. 950 of 2000. Though clause-5 of the said order stipultates that all legal and other proceedings against the transferor company shall continue as against the new company. However the present petition is filed much

subsequent to the order of merger dated 15.11.2000. The petition is filed on 16.11.2003. The petition is therefore not maintaibable as against the company which is not in existence. Clause-5 of the order does not apply to the proceedings instituted subsequent to the order of merger. In view thereof the petition is dismissed. There shall be no order as to costs.

sd/-

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